

## **REMARKS**

### **Replacement Specification and Abstract**

The Examiner objected to the term "boss" as that term was used in the specification. The Applicant submits herewith a Replacement Specification where the term "boss" has been replaced with the term "receptacle" where such a replacement is appropriate. Additionally, the Applicant submits herewith a Replacement Abstract where the term "boss" has been replaced with the term "receptacle" where such a replacement is appropriate. Changes are indicated with brackets for [deleted] text and underlines for added text.

### **Claim Rejections 35 U.S.C. §112**

The Examiner rejected claims 1-10 under 35 U.S.C. §112 for using the term "boss" to describe a receptacle, which claims 1-10 herein have been amended to replace the term "boss" with the term "receptacle". The Examiner rejected claims 8 and 9 under 35 U.S.C. §112, which claims 8 and 9 are herein canceled.

### **Claim Rejections 35 U.S.C. §102**

The Examiner rejected claims 1-6 under 35 U.S.C. §102(e) as being anticipated by Paule (U.S. Pat. No. 4,343,340). The Examiner rejected claims 1-7 under 35 U.S.C. §102(e) as being anticipated by Zabala (U.S. Pat. No. 6,631,749). Claims 6 and 7 are herein canceled. Claim 1 from which claims 2-5 depend, is amended herein. As discussed below, neither reference discloses the limitations of independent claim 1 as herein amended.

Paule discloses a shutter slat having a "pi-shaped bearing and locking member 30" that has two legs containing barbs. (Col. 3 Lines 15-20) Paule does not disclose a

shutter slat as claimed in amended claim 1 having a body portion including a first end and a retention plate located a distance away from the first end and secured thereto by two screws.

Regarding Zabala, as the Applicant noted in the "Description of the Related Art" section of the present application:

U.S. Pat. No. 6,631,749 to Zabala teaches a roller shutter in which each slat has one or more transverse ribs for support, as well as two sets of internal brackets running the length of the slat, in which retainers, or retaining screws, are disposed. .... *[T]he '749 patent does not teach or employ a retention plate to maximize surface area contact between the shutter slat and the guard.*

Like Paule, Zabala does not disclose a shutter slat as claimed in amended claim 1 having a body portion including a first end and a retention plate located a distance away from the first end and secured thereto by two screws. Zabala may have advantages when compared with shutter slat systems utilizing a single retention screw provided in each shutter slat, which tend to jam and allow the slats to move undesirably within the guard. Nevertheless, Zabala does not teach how to increase the strength of a shutter system by the same degree as the present invention, because relative guard-contact area provided by the slat retainers 30,32 of Zabala (which are depicted as sheet-metal screws) is not nearly as large as that provided by the retention plate claimed in claim 1.

Applicant respectfully submits that neither Paule, Zabala, nor any other cited reference discloses the limitations of independent claim 1 as amended herein. The Applicant respectfully submits that claim 1, and claims 2-5 depending therefrom, are now in condition for allowance, and such allowance is hereby requested.

#### **Claim Rejections under 35 U.S.C. §103**

The Examiner rejected claims 1-10 under 35 U.S.C. §103(a) as being unpatentable over Schlater et al. in view of either Zabala or Quasius. Claims 6-10 are

canceled herein. As discussed below, neither of these combination discloses the limitations of claim 1 as herein amended.

Schlater et al. discloses an end cap 50 having a base portion 52 and two integrally molded retention lugs 55. Each integrally molded retention lug 55 has an integrally molded head portion 57 separated from the base portion 52 by a neck portion 58. The base portion 52 of end cap 50 is affixed directly to the end of a shutter slat 12 by two screws. Even if the shutter slat disclosed by Schlater et al. were modified to include the receptacles disclosed by Zabala or Quasius, the resulting combination would still retain each slat in the guard by using the two integrally molded retention lugs 55, not by means of a retention plate as claimed in amended claim 1.

Furthermore, Applicant respectfully submits that it would not be obvious, or even practical, to "flip" the end cap 50 disclosed by Schlater et al. so that the base portion 52 is spaced apart from the shutter slat 12 by the integrally molded retention lugs 55, because doing so would require the guard to be redesigned. The only practically way to modify the shutter slats disclosed by Schlater et al. in view of either Zabala or Quasius so that claim 1 reads upon a resulting functional combination is to (1) modify the shutter slat disclosed by Schlater et al. to include the receptacles disclosed by Zabala or Quasius (2) install the end cap 50 of Schlater et al. "backwards" so that the base portion 52 is spaced apart from the shutter slat body and (3) redesign the guard of Schlater et al. so that the narrow base portion 52 will not pull through the slot in the guard that is designed to retain the relatively wider head portions 57 of the retention lugs 55, and such that the wider head portions 57 do not bind in the section of the guard that is designed to enclose the base portion 52.

Applicant respectfully submits that neither Schlater, Paule, Quasius, nor any combination thereof discloses the limitations of independent claim 1 as amended herein.

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The Applicant respectfully submits that claim 1, and claims 2-5 depending therefrom, are now in condition for allowance, and such allowance is hereby requested.

**Further Action Requested**

As Applicant has indicated above, no cited reference discloses the limitations of independent claim 1, nor claims 2-5 depending therefrom. Applicant respectfully submits that claims 1-5 are now in condition for allowance, and such allowance is hereby requested. Additionally, Applicant has added new claim 11 herein. Applicant respectfully submits that claim 11 is in condition for allowance, and such allowance is hereby requested. Applicant respectfully submits that all pending claims are now in condition for allowance, and such allowance is respectfully requested.

Respectfully submitted,

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